

Pro Se 15 2016

FILED (DROP BOX)

SEP 23 2020

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

20-CV-1410 JCC

Aman Shekhar Naidu

CASE NO. _____
[to be filled in by Clerk's Office]

COMPLAINT FOR VIOLATION
OF CIVIL RIGHTS
(for use only by plaintiffs not in
custody)

Plaintiff(s),

v.

Jury Trial: ☐ Yes ☐ NoCity of Lynnwood

Defendant(s).

I. THE PARTIES TO THIS COMPLAINT**A. Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Aman Shekhar Naidu</u>
Street Address	<u>5109 NE 5th Circle</u>
City and County	<u>Renton</u>
State and Zip Code	<u>WA 98059</u>
Telephone Number	<u>425-891-4436</u>

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B. Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name City of Lynnwood

Job or Title (if known)

Street Address 19100 44th ave W

City and County Lynnwood Snohomish

State and Zip Code WA 98036

Telephone Number 425-6705000

☐ Individual capacity ☒ Official capacity

Defendant No. 2

Name Chad W Krepps

Job or Title (if known) Prosecuting Attorney

Street Address 23607 Hwy 99 Ste 1D

City and County Edmonds Snohomish

State and Zip Code WA 98026

Telephone Number 425-7782429

☐ Individual capacity ☒ Official capacity

Defendant No. 3

Name Tiffany Krusey

Job or Title (if known) Victim Services Coordinator

Street Address 19321 44th ave W

City and County Lynnwood Snohomish

State and Zip Code WA 98036

Telephone Number 425-6705621

☐ Individual capacity ☒ Official capacity

Defendant No. 5

Name	Zach Yates
Job or Title (<i>if known</i>)	Police officer
Street Address	19321 44 th ave W
City and County	Lynnwood Snohomish
State and Zip Code	WA 98037
Telephone Number	425-6705600
<input type="checkbox"/> Individual capacity	<input checked="" type="checkbox"/> Official capacity

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Defendant No. 4

Name	Joshua Magnussen	BY <small>AT SEATTLE CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON DEPUTY</small>
Job or Title (<i>if known</i>)	Police officer	
Street Address	19321 44 th ave W	
City and County	Lynnwood	Snohomish
State and Zip Code	WA	98037
Telephone Number	425-6705600	
<input type="checkbox"/> Individual capacity	<input checked="" type="checkbox"/> Official capacity	

II. PREVIOUS LAWSUITS

Have you brought any other lawsuits in any federal court in the United States:?

☒ No ☐ Yes If yes, how many? [Click here to enter text..](#)

Describe the lawsuit:

Parties to this previous lawsuit:

Plaintiff(s)

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WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

Defendant(s)

(If there is more than one previous lawsuit, describe the additional lawsuits on another piece of paper using the same outline. Attach additional sheets, if necessary)

Court and name of district:

Docket Number: [Click here to enter text.](#)

Assigned Judge: [Click here to enter text.](#)

Disposition: *(For example, was the case dismissed as frivolous or for failure to state a claim? Was it appealed? Is it still pending?)*

Approximate filing date of lawsuit: [Click here to enter date.](#)

Approximate date of disposition: [Click here to enter date.](#)

III. BASIS FOR JURISDICTION

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens*

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1 v. *Six Unknown Named Agents of Federal Bureau of Narcotics* AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY 4071), you may
2 sue federal officials for the violation of certain constitutional rights.

3 A. Are you bringing suite against (*check all that apply*):

- 4 ☐ Federal officials (a *Bivens* claim)
- 5 ☒ State or local officials (a § 1983 claim)

6 B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or
7 immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are
8 suing under section 1983, what federal constitutional or statutory right(s) do you claim
9 is/are being violated by state or local officials?

10 Violation of civil rights for a fair trial. City of Lynnwood police department did not
11 follow correct procedure at the time of wrongful arrest. During the jury trial the prosecutor
12 representing the city of Lynnwood fabricated the police report _____
13 in a manner which manipulated and mislead the jury.

14 _____

15 _____

16 _____

17 C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional
18 rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are
19 being violated by federal officials?

20 _____

21 _____

22 _____

23 _____

24 _____

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 CLERK U.S. DISTRICT COURT
 WESTERN DISTRICT OF WASHINGTON
 BY DEPUTY

D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

The city of Lynnwood acted under the color by not documenting and providing the "probable" cause of the arrest made in Nov. in the police report there were numerous of statement made by the police officer's i.e. Aman was drunk but there was no evidence such as a breathalyzer test results which was included to support the statement. Multiple statements which listed my acts were noted without any documentation to support the claims. This cases went on for a year and a week prior to jury trial hearing the Prosecutor representing the city claimed there was a witness to the crime, again there was no mention of a witness nor a witness statement was taken and recorded to the physical abuse accusation. During the jury trial 2 police officer were presented as the witness for the case in front of the jury, to recall the events of the initial arrest which occurred a year ago. In which both the officers were not able to recall the full details of event but were able to only remember parts of the incident. With the testimony of one of the officers clearly stating he was not aware there was a witness the day of the crime. There were 2 charges which I was charged with which were domestic violence against my wife and for breaking the protective order against my wife. The second charge of violating the protective order officer Yates stated a neighbor saw me at the house talking to my wife but there was no witness report files. Reports of a violation were only filed against me when my wife Shiuwani Naidu was able to call and get counseled by the city of Lynnwood's domestic violence coordinator Tiffany Cruzie. The police department acted in the color of federal law by not abiding by the policy and procedures set forth by government and the prosecutor and domestic Violence coordinator for the city of Lynnwood fabricated the police reports to manipulate the information and misrepresent the events in front of the jury.

IV. STATEMENT OF CLAIM

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted,

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number each claim and write a short and plain statement of each claim. AT SEATTLE
U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON Attach additional pages if needed. BY DEPUTY

Due the Lynnwood police department not following the correct policy and procedures at the time of arrest and taking the time to investigate the allegation accurately it caused me to get arrested in the basis of a probable cause. This case took a year to be presented in front of a jury where the Lynnwood Prosecutor used the police reports which was incomplete, inconsistent and had no evidence to support the statement of the reports to fabricate events to mislead the jury to believe a crime was committed. The Prosecutor and the police misused their power and I got charged and imprisoned for a crime I did not commit which after the appeal the city of Lynnwood dropped all charges against me. This act by the police department and the Prosecutor, prevented me to be in my daughter's life for the past 4 years.

A. Where did the events giving rise to your claim(s) occur?

Lynnwood

B. What date and approximate time did the events giving rise to your claim(s) occur?

Nov 23rd, 2016 until June 27th, 2020.

C. What are the facts underlying your claim(s)? (For example: What happened to you?

Who did what? Was anyone else involved? Who else saw what happened?)

What happened to me: I was accused of a crime and without investigation the Lynnwood Police used bias to name me the criminal. This caused me to have to move out of our family apartment, with only my cloths and car. After the trial I was charged, fined, and imprisoned for 30 days. After the appeal, all charges which dropped. I am emotional distressed because this event caused my daughter to be taken away from me and I have not to this date seen my daughter because of all the false charges and wrongful imprisonment.

Who: Lynnwood Police department, Lynnwood city Prosecutor Chad Crap and Domestic Violence Coordinator Tiffany Cruzie all used their power to manipulate the law to get me arrested multiple times, fined, and imprisoned.

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CLERK U.S. DISTRICT COURT
BY WESTERN DISTRICT OF WASHINGTON DEPUTY**V. INJURIES**

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

VI. RELIEF

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I am requesting the court to help me in getting compensation in the amount of \$10 Million dollars, I am basing this claim on the fines, legal charges I paid also for pain and suffering along with the mental and emotional distress I went through for the last 4 years because City of Lynnwood did not take the time to comply with the policy and procedures at the time of the investigation. With the correct due diligence, I would have not been wrongfully charged, imprisoned. With the lack of due diligence from the city of Lynnwood this has caused me 4 years of time away from my daughter's life, I was not able to go see my son in Canada and I was not able to sufficiently provide for myself and had to seek assistance from my families and friends. My claim is also based on the decision Judge Anita L Ferris from the Superior court of Washington that the Lynnwood prosecutor elicited testimony that violated the courts ruling motions in limine. It was ineffective assistance of counsel to move for mistrial following multiple and egregious violations of the same ruling to exclude specific crimes of this appellant. The police officers changing their reports and the inconsistency on the reports filed.

VII. CERTIFICATION AND CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper

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purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;
(2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or
reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so
identified, will likely have evidentiary support after a reasonable opportunity for further
investigation or discovery; and (4) the complaint otherwise complies with the requirements of
Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related
papers may be served. I understand that my failure to keep a current address on file with the
Clerk's Office may result in the dismissal of my case.

Date of signing:

09/23/2020

Signature of Plaintiff

Aman

Printed Name of Plaintiff

Aman Shekhar Naidu.

Date of signing:

Signature of Plaintiff

Printed Name of Plaintiff

Date of signing:

Signature of Plaintiff

Printed Name of Plaintiff

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